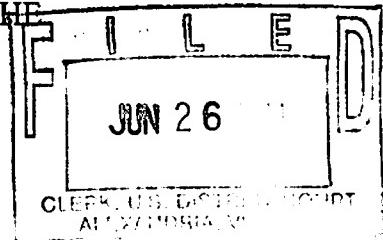


IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Alexandria Division

UNITED STATES)
v.) Case No. 1:14-mj-332
ROLANDO FELICIANO)



AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Ulrike Kucharczyk, a Special Agent with the Federal Bureau of Investigation (FBI), Washington Field Division, Washington, D.C., being duly sworn, depose and state as follows:

1. I have been employed as a Special Agent of the FBI since July of 2010 and am currently assigned to the Washington Field Office, Northern Virginia Resident Agency, Crimes Against Children Task Force. From December 2010 until April 2014, I was assigned to the FBI's Washington Field Office where I worked on federal narcotics investigations and have participated in several investigations which led to the arrest and conviction of narcotics distributors. Since 2010, I have received training and experience in interviewing and interrogation techniques; arrest procedures; search and seizure; drug and money laundering investigations, including the illegal structuring of financial transactions; surveillance techniques; asset forfeiture; possession with intent to distribute and distribution of controlled substances; engaging in financial transactions to promote, disguise or conceal illegal drug trafficking and the source of the proceeds derived from it. I currently investigate violations of law concerning child pornography and the sexual exploitation of children.

2. As a federal agent, I am authorized to investigate violations of laws of the United States and as a law enforcement officer I am authorized to execute warrants issued under the authority of the United States.

3. This affidavit is made in support of a Criminal Complaint for the arrest of ROLANDO FELICIANO, for the following offense: between July 2013 and March 2014, in the Eastern District of Virginia and elsewhere, ROLANDO FELICIANO knowingly employed, used, persuaded, enticed, and coerced a minor to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct in violation of 18 United States Code, Section 2251(a).

4. The following information contained in this affidavit is based on my training and experience, my personal participation in this investigation, and, information provided to me by other law enforcement officials. Unless otherwise indicated, where I have referred to written or oral statements, I have summarized them in substance and in part, rather than verbatim. Not all of the facts of the investigation known to me are continued herein, only those necessary to establish probable cause for the arrest of ROLANDO FELICIANO for producing child pornography in violation of Title 18, United States Code, Section 2251(a).

PROBABLE CAUSE

5. In March 2014, Detective Blake Allbritton, assigned to the Child Exploitation Squad of the Fairfax County Police Department's Criminal Investigations Bureau, received information from a School Resource Officer (SRO) stating that a thirteen year old female (hereafter referred to as the "Juvenile") was being solicited by a forty-nine year old male from New Jersey. The Juvenile lives in Fairfax County and attends middle school in Fairfax County, Virginia, which is in the Eastern District of Virginia.

6. On February 21, 2014, the SRO was advised by the school secretary that a male called the school stating he was the Juvenile's father and that there was an emergency and he

needed to speak with her. The male was told the Juvenile was in class, and he consequently hung up. Shortly afterwards, the Juvenile was removed from class and called home and spoke to her mother, who stated there was no emergency. The mother contacted her husband who stated he did not call the school.

7. The Juvenile's father spoke to the SRO and stated he was worried his daughter was involved in a relationship with an older male whom she met on Facebook. The SRO learned that the Juvenile had been observed on several occasions waiting in the street in front of the school, appearing to wait for a ride.

8. On March 12, 2014, Detective Allbritton interviewed the Juvenile at her school in Fairfax County. The Juvenile stated she met the male, later identified as ROLANDO FELICIANO, on Facebook in July 2013. The Juvenile stated that FELICIANO was forty-nine years old and lived in Elizabeth, New Jersey.

9. The Juvenile stated that she told FELICIANO on multiple occasions that she was thirteen years old. She also stated that her birthday was listed on her Facebook page. She further stated that on three occasions in the fall/winter of 2013, FELICIANO drove to the Juvenile's middle school in Fairfax County, Virginia and picked her up on the street in front of the school. They then drove to a nearby park where they engaged in oral sex. Afterwards, FELICIANO dropped her back at school in order for her to catch the late bus home.

10. The Juvenile stated that they communicated using Facebook, Skype, Facetime, text message and phone calls from July 2013 through March 2014. She further stated that in November 2013, FELICIANO bought her an Apple iPhone. Since November 2013, they used the iPhone as their primary means of communication.

11. The Juvenile and FELICIANO engaged in sexually explicit conversations using text message, phone conversations and Facetime. The Juvenile stated that on multiple

occasions, FELICIANO requested pictures of her without clothes, which she sent. FELICIANO also requested pictures of the Juvenile engaged in sexually explicit conduct, which she also sent. FELICIANO sent pictures of himself without clothes to the Juvenile as well. The Juvenile could not recall exactly how many sexually explicit pictures she sent FELICIANO, but stated that it was "a ton."

12. Detective Allbritton retrieved the iPhone given to the Juvenile. A forensics examination could not be completed on the iPhone because the information was remotely deleted by FELICIANO. The Juvenile stated that FELICIANO deleted the data because her parents found the iPhone the weekend prior to her interview with law enforcement. According to the Juvenile, FELICIANO became angry because she had stopped responding to his text messages, and he remotely deleted the entire contents of the iPhone.

13. Detective Allbritton identified FELICIANO through his Facebook page. The Juvenile identified a picture on FELICIANO's Facebook page of FELICIANO standing next to a vehicle with New Jersey license plate F88-BVK. The vehicle returned to ROLANDO FELICIANO. Detective Allbritton then requested a New Jersey Department of Motor Vehicles (DMV) license image of FELICIANO. The DMV image matched the Facebook images of FELICIANO. The DMV image was shown to the Juvenile, and she confirmed that he was FELICIANO.

14. Acting in an undercover capacity, on March 14, 2014, Detective Allbritton arranged a meeting between FELICIANO and the Juvenile. Based on those arrangements, FELICIANO drove to Fairfax County, Virginia where he was arrested by Fairfax County Police detectives. An iPhone belonging to him was seized at the time of arrest, and Detective Allbritton obtained a state search warrant for the iPhone.

15. A forensic examination was completed on FELICIANO's iPhone. Several clothed images of the Juvenile were recovered from the phone. In addition, phone logs and text messages to the Juvenile were also located. In several of these messages, the Juvenile indicated that she had taken pictures of herself for FELICIANO. For example, on February 13, 2014, the Juvenile sent FELICIANO a message stating, "I took some pictures if you want them."¹ Another message sent on that date stated, "⊗ this is the one I wanted to send you." On February 17, 2014, the Juvenile wrote, "Look Rolando if I don't know anything about how to make you feel god it's because of my damn age ok maybe you should understand that okay."

16. Several messages were located from FELICIANO to the Juvenile in which FELICIANO threatened to kill himself because the Juvenile did not respond promptly to him. For example, on February 21, 2014, FELICIANO wrote, "No location ah gps no location it's fine okay have a good time okay my death is in your hands okay." On February 22, FELICIANO stated, "This is the respect that I deserve from you ah after 7 months with you being only for you ah this is what I deserve ah thank you for being like this okay." Later that day, he wrote, "I swear to you that I'm going to kill myself okay kill today." On March 5, 2014, FELICIANO wrote to the Juvenile, "I love you but I'm sending you to the shit if you are unfaithful."

17. A search warrant was executed for FELICIANO'S property in Elizabeth, New Jersey by detectives with the New Jersey State Police. The apartment was empty and an interview was conducted with ROLANDO FELICIANO'S brother. He stated that at ROLANDO's request, he moved the contents of the apartment to a storage locker he [ROLANDO's brother] owned. ROLANDO's brother granted consent for detective's to search his storage locker. A Dell computer and cellular phones belonging to ROLANDO

¹ The messages between FELICIANO and the Juvenile were in Spanish, and they have been translated for this Complaint.

FELICIANO were recovered and shipped to the Fairfax County Police Department for a forensic examination.

18. Detective Allbritton obtained a Virginia state search warrant for the computer media that was recovered from the storage locker, and a forensic examination was conducted on that computer media. In addition, Detective Allbritton obtained a state search warrant for FELICIANO's Apple iTunes account. Based on a forensic review of the computer media, several images of the Juvenile were located, including images of the Juvenile's breasts and vagina. In addition, the forensic review located several pictures of the Juvenile and FELICIANO together, including pictures of them kissing.

19. After obtaining these images, Detective Allbritton interviewed the Juvenile again. In particular, Detective Allbritton located an image that depicted a close up shot of a vagina being spread apart by two fingers with silver nail polish. Without being shown the picture, the Juvenile was able to describe the image, and she stated that it was of her. Specifically, she stated that FELICIANO asked her to take a picture in which she spread open her vagina with her fingers. She further stated that she wore silver nail polish in that picture. Based on my training and experience, your affiant believes that that image constitutes child pornography as defined in 18 U.S.C. 2256(8).

20. Detective Allbritton also showed the Juvenile the images of her kissing FELCIANO. The Juvenile recognized the pictures and stated that they were taken in the fall of 2013 when FELCIANO picked her up from school.

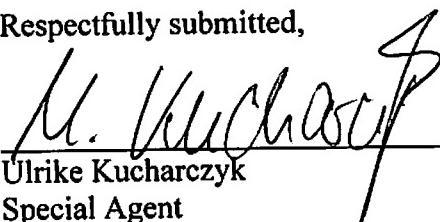
21. The forensic examination of FELICIANO's computer media also included several messages in which FELICIANO and the Juvenile discussed showers and bathing. During his follow-up interview with the Juvenile, Detective Allbritton asked about these

messages. The Juvenile stated that on numerous occasions FELICIANO asked her to take her iPhone into the shower with her so that they could watch each other shower using Facetime.

CONCLUSION

22. Based on the aforementioned facts and circumstances, there is probable cause to believe that between July 2013 and March 2014, in the Eastern District of Virginia and elsewhere, ROLANDO FELICIANO knowingly produced child pornography in violation of 18 U.S.C. 2251(a).

Respectfully submitted,



Ulrike Kucharczyk
Special Agent
Federal Bureau of Investigation

Subscribed and sworn to before me this 26th day of June 2014.

/s/ 
John F. Anderson
United States Magistrate Judge
The Honorable John F. Anderson
United States Magistrate Judge